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OFFICE OF PETITIONS

In re Application of :
Hau H. Duong et al :
Application No. 09/760,384 :
Filed: January 11, 2001 :
Atty Docket No. A-68718-2/RFT/RMS/RMK :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 24, 2002, to revive the above-identified application.

The petition is GRANTED.

This application became abandoned by operation of law for failure to timely submit substitute drawings in compliance with 37 CFR 1.84 within two months of the May 24, 2001 Notice to File Missing Parts of Nonprovisional Application. A five month extension of time pursuant to the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the date of abandonment of this application is December 25, 2001.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is not a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-8680.

The application file is being forwarded to the Office of Initial Patent Examination Division for pre-examination processing.

Frances Hicks
Frances Hicks
Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy